

49 Years Later: Voting Rights Act Still Needed

Forty-nine years ago today, President Lyndon Johnson signed the Voting Rights Act into law, a landmark piece of legislation that banned racial discrimination in voting. On June 25, 2013, in the *Shelby County v. Holder* decision, the Supreme Court invalidated Section 4(b) of the Voting Rights Act, a key provision that protected voters in states and jurisdictions with a history of discrimination and voter suppression. Specifically, the Court struck down the coverage formula in Section 4 of VRA that determined which states are required under Section 5 to “pre-clear” voting changes before they can take effect.

In response to the Supreme Court’s disappointing decision, a bipartisan group of lawmakers introduced the Voting Rights Amendment Act (VRAA) to update the coverage formula to address the Court’s objections and restore these important voter protections. Here’s a look at why protecting voting rights is as important today as it was almost fifty years after the Voting Rights Act was enacted:

Discrimination Continues Today

Today, the National Commission on Voting Rights released a new report highlighting hundreds of instances in which the Courts have agreed that a continued pattern of voter discrimination persists:

- “There were **at least 332 successful voting rights lawsuits and denials of Section 5 preclearance** by the U.S. Department of Justice (DOJ) from 1995 through 2013 and another ten non-litigation settlements.”
- “Discriminatory redistricting plans and at-large elections continue to prompt the most successful lawsuits under Section 2 of the Voting Rights Act. However, there were also 48 successful lawsuits and ten non-litigation settlements relating to language translation and assistance.”
- “The federal observer program provided an important deterrence against voter discrimination with 10,702 observers deployed from 1995-2012. As a result of the *Shelby County* decision, the DOJ is no longer deploying federal observers to the formerly covered states.” [[Report](#), 8/6/14]

One year after *Shelby County v. Holder*, the Leadership Conference on Civil and Human Rights released a new report detailing almost 150 violations against minority voters, including:

- “Private plaintiffs have brought a lawsuit alleging that **three adjoining census areas in Alaska have deliberately withheld language assistance from these areas;**”
- “In the wake of the *Shelby* decision, the **Georgia Secretary of State has announced that the 2014 election for Augusta-Richmond county will be held at the time of the primary rather than during the November general election**, reinstating a plan that DOJ had objected to prior to *Shelby* on the grounds that it would **disproportionately negatively impact the turnout of African-American voters;**” and
- “Within hours of the *Shelby* decision, **Texas’ attorney general announced that the state would begin to implement its photo ID law immediately.** This law was previously denied Section 5 preclearance by DOJ and by a three-judge panel of the U.S. District Court of the District of Columbia on the grounds it would have a racially discriminatory effect.” [[Report](#), June 2014]

The National Association of Latino Elected and Appointed Officials, the Mexican American Legal Defense and Education Fund, and the National Hispanic Leadership Agenda released a report citing numerous specific examples of voting discrimination, including:

- “When Texas began redistricting in 2011, it had gained four additional seats in Congress. About 65 percent of its population growth had come from Latinos — yet the **redrawn maps failed to create even one new district in which Latino voters would have had an opportunity to elect the candidate of their choice**. A federal court found discriminatory intent and threw out the maps.” [[Report](#), 6/12/14]

Bipartisan Support for Restoring the Voting Rights Act

Republican Congressman and co-sponsor of the Voting Rights Amendment Act, Jim

Sensenbrenner: “The belief that no voter should be disenfranchised and every legal vote should be tallied is nonpartisan. And now, as we approach this year's elections, we must ensure the proper protections are in place. As elected officials, our legitimacy depends on free and fair elections. Support for voting rights and voter identification are consistent goals. Only in hyper-partisan Washington can we lose sight of this... Proponents face an uphill battle, but the Voting Rights Amendment Act is worth the fight. The right to vote should be unassailable. This is not a partisan principle, but an American one.” [[USA Today](#), 3/20/14]

Republican strategist Ron Christie: “I can think of no better way for [Rep. Eric] Cantor to end his tenure as House Majority Leader than for him to forge a consensus of the majority to preserve and protect the Voting Rights Act so all Americans will continue to have unfettered access to the ballot box – regardless of their skin color or ethnicity.” [[The Daily Beast](#), 6/16/14]

Conservative commentator Armstrong Williams: “Updating [the Voting Rights Act] is not only good policy—it is also good politics.” [[Amsterdam News](#), 6/12/14]

The Voting Rights Amendment Act

In the face of continued, modern-day discrimination, as well as broad support for protecting Americans’ fundamental right to vote, a group of bipartisan and bicameral lawmakers introduced the Voting Rights Amendment Act in January 2014. The VRAA would continue to reinforce the Voting Rights Act, one of the most significant pieces of Civil Rights legislation ever passed, by:

- Prescribing transparency requirements, including reasonable public notice, regarding any changes to: (1) voting prerequisites, standards, or procedures; (2) polling place resources; or (3) demographics and electoral districts;
- Expanding the types of violations triggering the authority of a court, including photo identification; and
- Enhancing the ability of federal courts to order a preclearance remedy when appropriate.